

PATENT

(Practitioner's Docket No. IN-5554)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Hubert BAUMGART
Heinz-Peter RINK
Detlef KRATZ

Serial No.: This application is a National
Phase of Patent Application
PCT/EP00/07890 filed 14. August 2000.

Group Art Unit: Not Assigned

Filed: February 13, 2002

Examiner: Not Assigned

For: OLIGOMERS AND POLYMERS ON THE BASIS OF DIETHYL-OCTANEDIOLS,
METHOD FOR PRODUCING SAME AND THE USE THEREOF

Commissioner of Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant(s) submit(s) herewith patents, publications, or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

- ☒ Submitted herewith is Form PTO-1449 (Modified) listing patents, publications, or other information for consideration by the Office.

COPIES PROVIDED:

- ☒ Legible copies of all items listed on Form PTO-1449 accompany this information statement, except as indicated below:

☐ Under 35 U.S.C. §120, this application relies on the earlier filing date of prior application Serial No. [____], filed on [____]. The following references were submitted to and/or cited by the Office on this prior application and are therefore not required to be provided in this application:

☐ In accordance with 37 C.F.R. §1.98(c), a copy of only [____] is being submitted with this Information Disclosure Statement, and is cumulative of the following patents or publications listed on Form PTO-1449:

Information Disclosure Statement
Page 2

FOREIGN LANGUAGE DOCUMENTS

- ☐ There are no foreign language documents listed on Form PTO-1449.
- ☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of portions of those patents, publications or information considered to be material:
- ☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.
- ☒ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith:

	English Equiv.
DE1618795	UK1127338
DE1793785	3,361,844
DE1805693	3,547,848
DE19826715	Abstract
DE2359923	4,383,068
DE2751761	4,311,622
DE4024204 A1	5,326,820
DE4110520	CA2107351
DE4414032	5,707,941
EP073517	Abstract
EP089497	4,489,135
EP192304	English
EP228003	4,914,148
EP234361	4,945,128
EP521928	5,334,420
EP543817	5,760,128
EP562577	Abstract
EP574417	5,368,944
EP608773	Abstract
EP614951	Abstract
EP730613	6,001,424
EP787159	6,001,915
EP940 459	BASF DE 198 09 643 filed 3/6/98, pages 1-32, and Abstract.
GB778924	Abstract
GB2248844	Abstract
JP01215876 ✓	Abstract
JP01242674	Abstract
JP02041379	Abstract
JP02147238	Abstract
JP02264082	Abstract
JP04093316	Abstract
JP06329751	Translation
JP09272731	Translation
JP63182330	Abstract
WO9422968	English Abstract on front page of the International Publication WO9422968

Information Disclosure Statement
Page 3

- ☒ Submitted herewith is an English language version of a search report listing information not in the English language and indicating the degree of relevancy found by the European Patent Office, in satisfaction of the requirement (under 37 C.F.R. §1.98(a)(3)) for a concise explanation of the relevance of non-English information.
- ☐ A concise explanation of the relevance of the following listed non-English language information is included as presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information as set forth below:
- ☐ A concise explanation of the relevance of the following listed non-English language information is set forth in the above-identified specification:

CERTIFICATION:

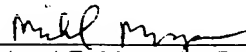
- ☐ The Information Disclosure Statement transmitted herewith is being filed **within** three (3) months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). Accordingly, it is believed that no certification or fee is due.
- ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three (3) months of the filing date of the application or the date of entry into the national stage of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but **before** the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first. Accordingly, I hereby certify that:
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**
- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **OR**
- ☐ Applicant elects the option to pay the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under 37 C.F.R. §1.97(c). Please charge the **\$240.00** IDS submission fee to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.
- ☐ The Information Disclosure Statement transmitted herewith is being filed **After a Final Action** under 37 C.F.R. §1.113, or **After a Notice of Allowance** under 37 C.F.R. §1.311, whichever occurs first, but **Before Payment of the Issue Fee**. Accordingly, I hereby certify that:
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**

Information Disclosure Statement
Page 4

- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **AND**
- ☐ Applicant hereby petitions for consideration of this Information Disclosure Statement; 37 C.F.R. §1.97(d)(2)(ii). Please charge the petition fee of **\$130.00** to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

The Commissioner is authorized to charge BASF Corporation Deposit Account No. 23-3425 for any additional fees due hereunder.

Respectfully submitted,



Michael F. Morgan, Reg No42,906
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Tel. No.: (248) 948-2355

FORM PTO-1449
(MODIFIED)US DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Atty. Docket No. IN-55

LIST OF ART CITED BY APPLICANT

(Use sever of sheets if necessary)

In re Application of: BRUMGART et al.

Serial No.: Herewith

Filed: Wednesday, February 13, 2002

U.S. PATENT DOCUMENTS

Examiner initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,489,135	12/18/84	Drexler et al.	428	423.1	12/18/84
	AB	5,334,420	8/2/94	Hartung et al.	427	407.1	3/13/91
	AC	4,914,148	4/3/90	Hille et al.	524	507	12/11/86
	AD	4,945,128	7/31/90	Hille et al.	524	591	2/6/87
	AE	5,326,820	7/5/94	Hoffmann et al.	525	123	7/24/91
	AF	5,760,128	6/2/98	Baltus et al.	524	591	2/27/91
	AG	3,547,848	12/15/70	Marsh et al.	260	22	11/3/67
	AH	3,361,844	1/2/68	Hoeschele et al.	260	858	12/14/64
	AI	4,311,622	1/9/82	Buter	260	18	1/31/80
	AJ	4,383,068	5/10/83	Brandt	524	196	1/15/79
	AK	5,368,944	11/29/94	Hartung et al.	428	423.1	2/1/92
	AL	5,707,941	1/13/98	Haberle	528	44	4/17/95
	AM	6,001,424	12/14/99	Lettmann et al.	427	407.1	11/18/94
	AN	6,001,915	12/14/99	Schwarte et al.	524	457	10/18/95
	AO						
	AP						
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	AX						
	AY						

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*Applicant has modified this form by deleting the word "prior".

10/0492656

JC11 Rec'd PCT/PTO 13 FEB 2002

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							YES	NO
	AA	JP01215876	29.08.89	JP	C09D	11/10		X
	AB	JP01242674	27.09.89	JP	C09D	11/10		X
	AC	JP02041379	09.02.90	JP	C09D	175/04		X
	AD	JP02147238	06.06.90	JP	B32B	15/08		X
	AF	JP02264082	26.10.90	JP	D06N	3/14		X
	AG	JP04093316	26.03.92	JP	C08G	18/44		X
	AH	JP06329751	29.11.94	JP	C08G	18/42		X
	AI	JP09272731	21.10.97	JP	C08G	63/16		X
	AJ	JP63182330	27.07.88	JP	C08G	63/16		X
	AK	WO9422968	13.10.94	EP	C09D	133/06		X
	AL	WO9712945	10.04.97	EP	C09D	5/04	X	
	AM	WO9749745	31/12/97	EP	C08G	18/08	X	
	AN	WO9749747	31.12.97	EP	C08G	18/75	X	
	AO	CA2107351	97.12.16	CA	C09D	7/14	X	
	AP							

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AQ	English Abstract on front page of the International Publication WO9422968
	AR	
	AS	
	AT	

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							YES	NO
	AA	DE1618795	13.04.72	DE	12o	25		X
	AB	DE1793785	10.10.74	DE	C07c	119/04		X
	AC	DE1805693	28.10.68	DE	22g	5/04		X
	AD	DE19826715	28.01.99	DE	C07C	69/54		X
	AF	DE2359923	20.06.74	DE	22g	5/04		
	AG	DE2751761	09.09.82	DE	C09D	5/04		X
	AH	DE4024204 A1	06.02.92	DE	C09D	175/04		X
	AI	DE4110520	12.12.96	DE	C09D	201/00		X
	AJ	DE4414032	26.10.95	DE	C08G	18/75		X
	AK	EP038127	24.03.81	EP	B05D	7/26	X	
	AL	EP073517	31.08.82	EP	C98L	75/06		X
	AM	EP089497	21.02.83	EP	C09D	3/72		X
	AN	EP192304	18.02.86	EP	C09D	5/04	X	
	AO	EP228003	11.12.86	EP	B05D	78/16		X
	AP	EP234361	06.02.87	EP	C08G	18/08		X

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AQ	ENGLISH ABSTRACT FOR DE19826715
	AR	ENGLISH ABSTRACT FOR EP940459
	AS	ENGLISH ABSTRACT FOR EP073517
	AT	

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10/049656

JC11 Pat'd PCT/PTO 13 FEB 2002

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							YES	NO
	AA	EP249201	10.06.87	EP	C09D	3/58	X	
	AB	EP276501	26.09.87	EP	C11D	1/42	X	
	AC	EP471972	11.07.91	EP	C09D	5/38	X	
	AD	EP521928	13.03.91	EP	C08F	299/06		X
	AF	EP543817	27.02.91	EP	C08G	18/08		X
	AG	EP562577	24.03.93	EP	C09D	169/00	X	
	AH	EP574417	01.02.92	EP	B05D	5/06		X
	AI	EP608773	21.01.94	EP	C09D	5/02		X
	AJ	EP614951	05.03.94	EP	C09D	7/14		X
	AK	EP730613	18.11.94	EP	C08F	290/14		X
	AL	EP787159	18.10.95	EP	C08F	285/00		X
	AM	EP940 459	24.02.99	EP	C09D	201/00		X
	AN	GB1220717	02.03.71	UK	27/00	27/33	X	
	AO	GB778924	17.17.57	UK	C07c		X	
	AP	GB2248844	22.04.92	GB	C09D	5/03	X	

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AQ	BASF DE 198 09 643 filed 3/6/98, pages 1-32, and Abstract.
	AR	English Abstract for EP614951
	AS	
	AT	

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							YES	NO
	AA	CA2114035	94.01.24	CA	C09D	005/38	X	
	AB	UK1127338	16.06.67	UK	C07c	119/04	X	
	AC							
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	AN							
	AO							
	AP							

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